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March 12, 1998

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
Washington, D.C. 20554**

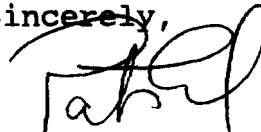
**Re: Comments of WLME, Inc. concerning
Amendment of Section 73.202(b)
FM Table of Allotments
(Hawesville and Whitesville, Kentucky)
MM Docket No. 98-2; RM-9217**

Dear Ms. Salas:

Transmitted herewith on behalf of WLME, Inc, the licensee of WXCM(FM), Hawesville, Kentucky, is an original and four copies of its Comments in support of the proposed reallocation of Channel 246A from Hawesville to Whitesville, Kentucky and the modification of the license of WXCM(FM) accordingly.

Should any questions arise concerning this matter, please contact this office directly.

Sincerely,



John F. Garziglia
Patricia M. Chuh

Enclosure

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Section 73.202(b))	MM Docket No. 98-2
Table of Allotments)	RM-9217
FM Broadcast Stations)	
(Hawesville and Whitesville, Kentucky))	

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To: Chief, Allocations Branch

MAR 12 1998

COMMENT

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

WLME, Inc., the licensee of WXCM(FM), Channel 246A, Hawesville, Kentucky, by its attorneys and pursuant to the Notice of Proposed Rule Making, MM Docket No. 98-2, RM-9217, released January 23, 1998 ("NPRM"), hereby submits its comments in support of the proposed reallocation of Channel 246A from Hawesville to Whitesville, Kentucky and the modification of the license of WXCM(FM) accordingly. The following is submitted for the Commission's consideration:

1. WLME, Inc. hereby incorporates by reference its December 10, 1997 Petition for Rule Making filed in this proceeding and re-certifies that it has a present intention to apply for Channel 246A when reallocated from Hawesville to Whitesville, Kentucky, and when authorized will build the modified facilities of WXCM(FM) promptly and commence operation on Channel 246A.

2. WLME, Inc. hereby submits additional information concerning the gain and loss areas if Channel 246A is reallocated to Whitesville, Kentucky, pursuant to the Commission's request in its NPRM. See Technical Report prepared by Charles M. Anderson, dated March 10, 1998 ("Technical Report") (attached). The real-

lotment of Channel 246A to Whitesville, Kentucky and the operation of WXCM(FM) at the allocation site of N 37-48-39 and W 086-53-18 (13.9 kilometers North of Whitesville, Kentucky) will provide service (60 dBu) to an area of 2,526 square kilometers. This encompasses a population of 116,818 persons (1990 U.S. Census), resulting in a net gain of 66,021 persons (total gain of 75,379 persons adjusted by loss of 9,358 persons). This net gain of 66,021 persons is achieved while the area that will lose service from the existing licensed operation of WXCM(FM) continues to receive service from at least five full-time aural services. See Exhibit E-1 of the Technical Report. The gain area is also well served, with at least five full-time aural services. See Exhibit E-2 of the Technical Report.

3. Furthermore, public interest will be served by the reallocation of Channel 246A from Hawesville to Whitesville, Kentucky because an additional 66,021 persons will receive service from WXCM(FM). In addition to the service gain, the proposed reallocation provides Whitesville, Kentucky with its first local aural service, which will result in a preferential arrangement of allocations by fulfilling the Commission's third priority for FM allocations. Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1982); Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 4 FCC Rcd 4870 (1989). The public interest is further served because the preferential


arrangement of allotments and the net gain of 66,021 persons served is accomplished while ensuring that at least five full-time aural services are available to the area which will lose service from the existing licensed operation of WXCM(FM).^{1/}

WHEREFORE, for the foregoing reasons, it is respectfully requested that the Commission reallocate Channel 246A to Whitesville, Kentucky and modify the license of WXCM(FM) to specify operation on Channel 246A.

Respectfully submitted,

WLME, Inc.

By:


John F. Garziglia
Patricia M. Chuh
Its Attorneys

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Date: March 12, 1998

^{1/} The Commission recently granted, on January 27, 1998, a minor modification application filed by WLME, Inc. (BPH-970915ID) to specify the site proposed in this rule making proceeding. See Public Notice Report No. 44168, released January 30, 1998. As such, there is technically no loss or gain as a result of the proposed reallocation of Channel 246A from Hawesville to Whitesville, Kentucky when analyzed using WXCM(FM)'s unbuilt construction permit. There is, however, a net gain of 66,021 persons which results when gain is analyzed from WXCM(FM)'s licensed facilities. A preferential arrangement of allotments occurs either way because Whitesville, Kentucky will receive its first local aural service. See supra at Paragraph 3.

TECHNICAL REPORT

This technical report has been developed on behalf of WLME, Inc., licensee of station WXCM(FM), in support of comments in MM Docket No. 98-2 (RM-9217).

I. POPULATION GAIN

WLME, Inc. requested a change in city of license for WXCM on channel 246A from Hawesville, KY to provide Whitesville, KY (1990 population - 682) its first local aural service. In the Notice of Proposed Rulemaking released on January 23, 1998, the Commission asked for additional information regarding the gain and loss areas. This report is provided in response to that NPRM and in support of the WLME, Inc. comments.

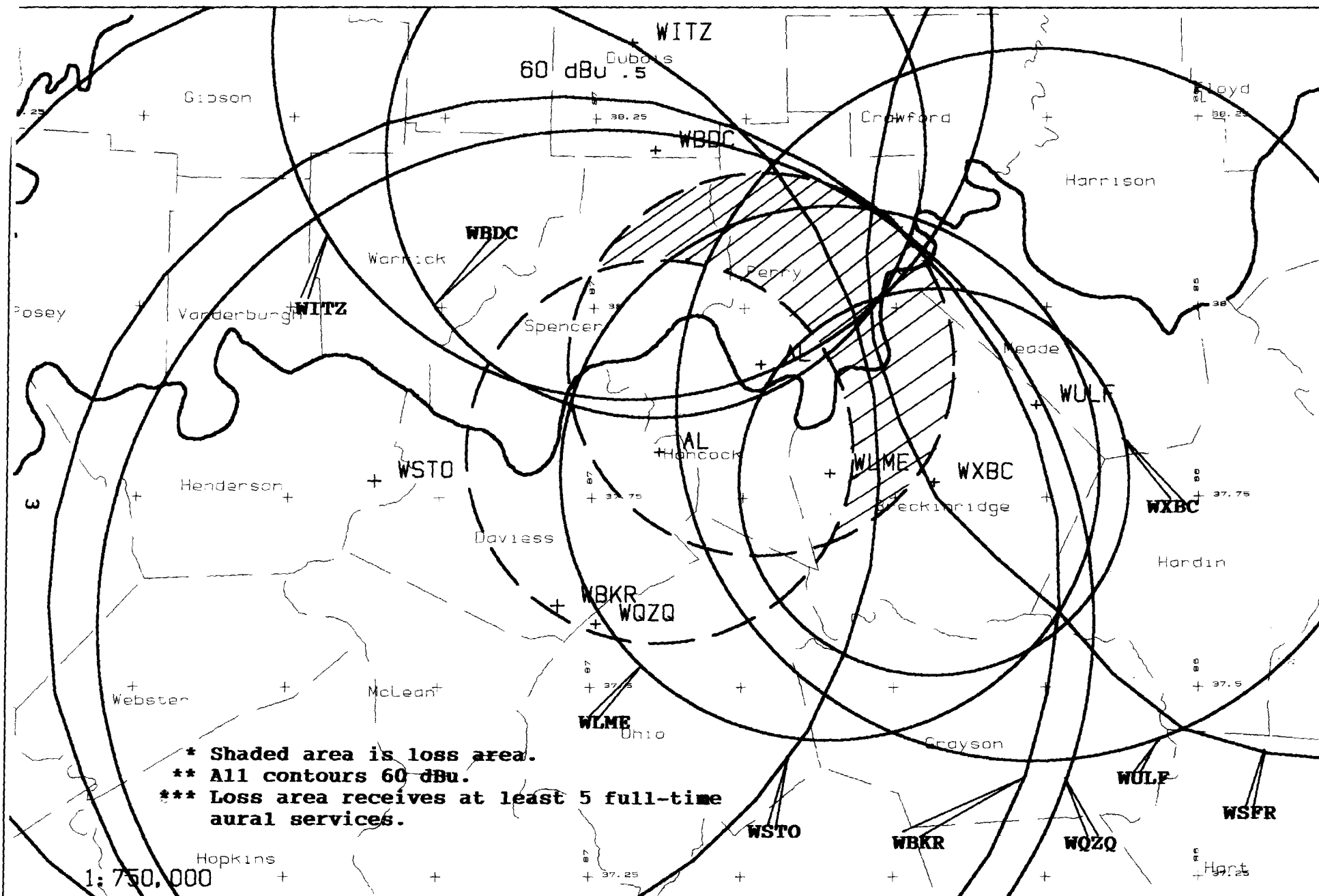
At the proposed allocation site, N 37-48-39 W 86-53-18 -- 13.9 kilometers north of Whitesville, the 246A allocation will provide a 60 dBu service to an area of 2,526 square kilometers which includes a 1990 population of 116, 818. This represents a population gain of 75,379 which when adjusted by the population loss of 9,358 yields a net population gain of 66,021. This analysis was conducted utilizing the V-Soft Popcount and Comparpop programs. A uniform 28 km 60 dBu service area was assumed for the existing WXCM and Whitesville 246A facilities.

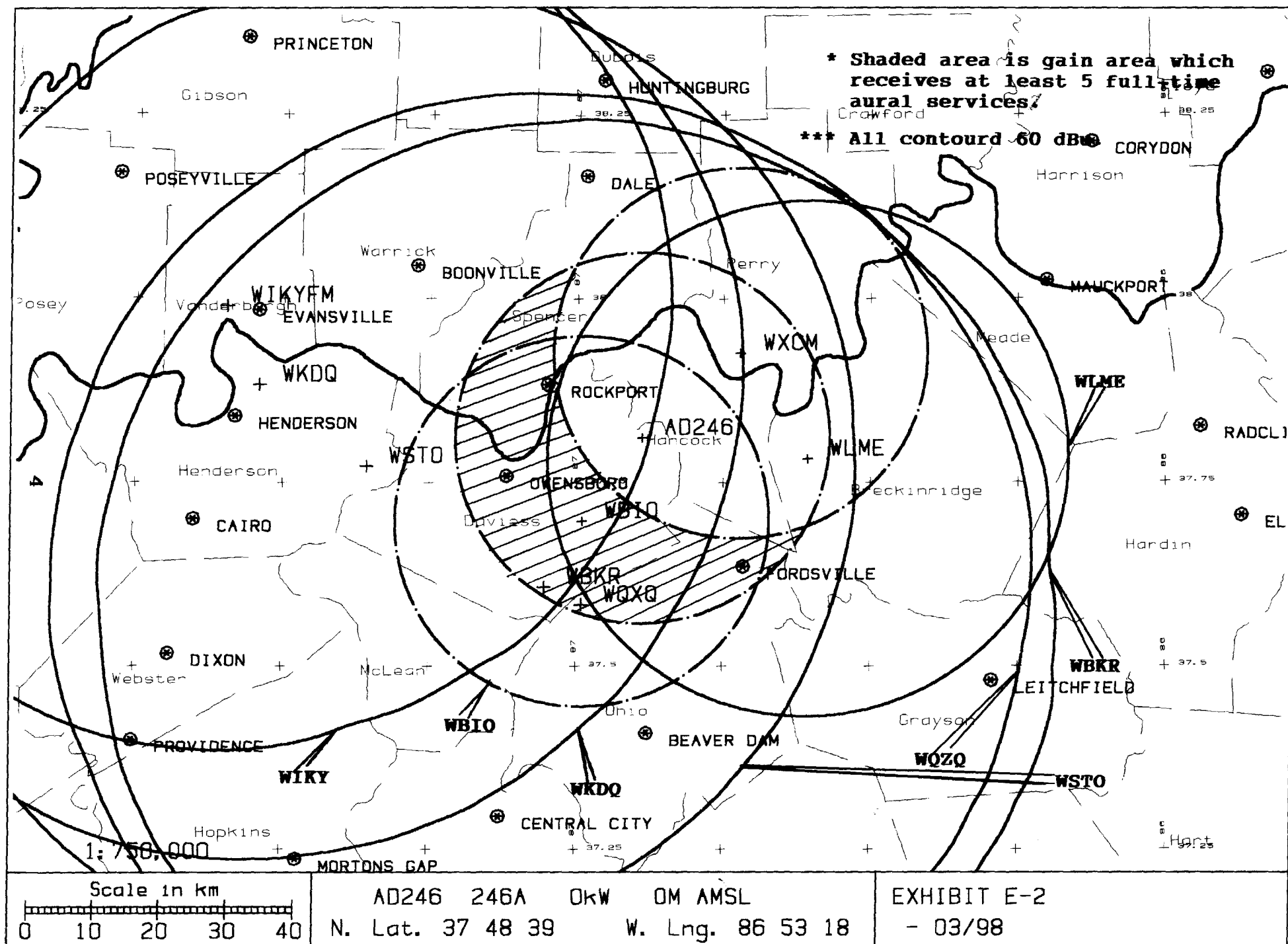
II. Existing Services in Gain and Loss Areas

The area which will lose service from the existing licensed WXCM operation is plotted in Exhibit E-1. It is evident from that exhibit that the loss area continues to be "well served" with at least five full-time aural services. This analysis was based on the Commission's procedure of utilizing uniform, maximum permissible non-directional facilities for all FM stations except for

class C stations where actual licensed facilities were utilized. Non-directional 28.3 km 60 dBu contours were utilized for both the existing WXCM facility and the proposed new allocation at Whitesville.

The Whitesville 246A gain area is depicted in Exhibit E-2 which shows at least five full-time aural services available. Therefore, it is concluded that the loss and gain areas have at least five full-time aural services, and are "well served". However, the allocation of 246A at Whitesville will provide a first local aural service to that community and a gain in population served of 66,021.






CERTIFICATION

Charles M. Anderson hereby certifies that;

His qualifications in broadcast allocation matters are a matter of record before the Federal Communications Commission having been presented and accepted on many occasions in the past;

That he holds a lifetime General Radiotelephone license (#PG-6-7352) , a bachelors degree in the physical sciences from Western Kentucky University, and advanced degrees from the University of North Carolina and Indiana University;

That the accompanying technical report and exhibits were developed by him personally or under his immediate supervision and that all the information presented therein is true and correct to the best of his knowledge and belief.

/s/ 
Charles M. Anderson

March 10, 1998

Disclaimer: Charles M. Anderson assumes no liability for any errors or omissions in the information, exhibits and report provided herein; and, shall not be liable for any injuries or damages (including consequential) which might result from use of said information, exhibits and report. Filing of this report with the Federal Communications Commission constitutes acceptance in full of the terms and conditions stated above.

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